

Message Text

SECRET

PAGE 01 STATE 268354

53

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H - EKRIZEK (INFO)

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FM SECSTATE WASHDC

TO AMEMBASSY LONDON IMMEDIATE

INFO AMCONSUL FRANKFURT

USMISSION GENEVA

AMEMBASSY BRUSSELS

AMEMBASSY PARIS

S E C R E T STATE 268354

E.O. 11652: XGDS-4

TAGS: SREF, HA, UK, CVIS (JAKAB, MARIA)

SUBJECT: HUNGARIAN ASYLUM SEEKER

REF: (A) LONDON 16426; (B) LONDON 17234; (C) STATE 262530

1. THERE APPEARS TO BE SOME CONFUSION AS TO THE MOST EXPEDITIOUS METHOD FOR MISS JAKAB'S ENTRY INTO THE U.S. IN DEALING WITH ASYLUM REQUESTS WE PREFER TO HANDLE SUCH A REQUEST AS AN IMMIGRATION CASE RATHER THAN CONDITIONAL ENTRY IF THE ASYLUM SEEKER MEETS THE CRITERIA FOR THE ISSUANCE OF AN IV.

2. BASED ON THE INFORMATION WE HAVE RECEIVED PERTAINING TO MISS JAKAB'S BACKGROUND AND QUALIFICATIONS, WE BELIEVE IT

SECRET

SECRET

PAGE 02 STATE 268354

DOUBTFUL THAT SHE CAN QUALIFY FOR LABOR CERTIFICATION.

CONDITIONAL ENTRY, THEREFORE, APPEARS TO BE THE BEST WAY TO EFFECT HER MOVEMENT TO THE U.S., RATHER THAN AN IV. NEVERTHELESS, CAN EMBASSY PROVIDE OTHER INFORMATION CONCERNING HER BACKGROUND, QUALIFICATIONS, OR EXPERIENCE WHICH SUPPORTS EMBASSY'S CONTENTION THAT LABOR CERTIFICATION IS THE BEST METHOD TO FACILITATE MISS JAKAB'S ENTRY INTO THE U.S. AS STATED PARA 2 REFTEL A. WHILE CONDITIONAL ENTRY PROCESSING DOES TAKE SOME TIME, WITHOUT SOLID GROUNDS TO SUPPORT BELIEF THAT SHE CAN QUALIFY FOR LABOR CERTIFICATION,

WE BELIEVE PURSUING IV ONLY SERVES TO RAISE FALSE HOPES OF SUCCESS.

3. MR. COLLETTE INITIALLY CALLED THE DEPARTMENT ON OCTOBER 14 TO SEEK HELP IN OBTAINING MISS JAKAB'S IMMEDIATE ENTRY INTO THE U.S. EITHER AS A REFUGEE OR THROUGH LABOR CERTIFICATION. HE REPEATEDLY COMPARED HER CASE TO THE RECENT DEFECTION OF THE SOVIET PILOT IN JAPAN AND REQUESTED THE SAME EXPEDITIOUS TREATMENT FOR MISS JAKAB. HOWEVER, THE CIRCUMSTANCES SURROUNDING THAT CASE WERE QUITE DIFFERENT. WHILE PAROLE WAS AUTHORIZED FOR BELENKO, MR. COLLETTE WAS INFORMED THAT MISS JAKAB'S ONLY APPARENT OPTIONS FOR ADMISSION INTO THE U.S. WOULD BE AS A CONDITIONAL ENTRANT OR ON AN IV. AS HE WANTED TO SECURE HER IMMEDIATE ENTRY INTO THE U.S., HE OPTED TO PURSUE THE LABOR CERTIFICATION ROUTE.

4. IT IS THE CONSENSUS OF OPINION IN THE DEPARTMENT, HOWEVER, THAT MISS JAKAB WOULD HAVE A DIFFICULT TIME MEETING THE ESTABLISHED CRITERIA FOR LABOR CERTIFICATION APPROVAL. MR. COLLETTE RECONSIDERED HIS PREVIOUS POSITION AND ON OCTOBER 22 ADVISED CONGRESSWOMAN FENWICK'S OFFICE TO PURSUE CONDITIONAL ENTRY RATHER THAN LABOR CERTIFICATION. IT, THEREFORE, APPEARS THAT MR. COLLETTE'S REQUEST TO SENATOR CASE REGARDING LABOR CERTIFICATION FOR MISS JAKAB HAS BEEN OVERTAKEN BY EVENTS.

5. COMPARISONS SHOULD NOT BE DRAWN BETWEEN THIS CASE AND THE SLAVOV CASE. UNLESS OTHER INFORMATION CAN BE PROVIDED THAT WOULD INDICATE SOLID BASIS FOR APPROVAL OF
SECRET

SECRET

PAGE 03 STATE 268354

LABOR CERTIFICATION, WE REQUEST THAT EMBASSY CONTACT LOCAL UNHCR REP AND PROCEED AS OUTLINED PARA 4 REFTEL C. AS CONGRESSIONAL INTEREST IN THIS CASE CONTINUES, PLEASE KEEP DEPARTMENT ADVISED OF STATUS OF THIS CASE AS IT PROGRESSES. KISSINGER

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